

PROPOSED REGULATORY ACTION BY CALPERS

Amend Sections 599.500 and 599.501 of Title 2 of the California Code of Regulations

Section 599.500, subdivisions (a) through (m)

These subdivisions remain unchanged.

Proposed Amendment to Section 599.500, subdivision (n):

- (n) A "child," ~~attains the status of "family member" at birth. In addition to "family member," as defined in Government Code s~~Section 22775, Government Code, "family member" includes any unmarried child who is economically dependent upon the employee or annuitant, when there exists a parent-child relationship with the employee or annuitant. ~~He or she ceases to be a "family member" means an adopted, step, or recognized natural child upon marriage or until attainment of age 23, age 26, unless the child is disabled as defined in section 599.500, subdivision (p).~~

Proposed New Section 599.500, subdivision (o):

- (o) In addition to a "child" as defined in Government Code section 22775, "family member" also includes any child for whom the employee or annuitant has assumed a parent-child relationship, in lieu of a parent-child relationship described in subdivision (n), as indicated by intentional assumption of parental status, or assumption of parental duties by the employee or annuitant, as certified by the employee or annuitant at the time of enrollment of the child, and annually thereafter up to the age of 26 unless the child is disabled as defined in section 599.500, subdivision (p). This section should not be construed to include foster children.

Proposed New Section 599.500, subdivision (p):

- (p) "Disabled child," means a child, as defined in Government Code section 22775 and section 599.500, subdivision (n) or (o), who at the time of attaining age 26, is incapable of self-support because of a physical or mental disability which existed continuously from a date prior to attainment of age 26 and who is enrolled pursuant to section 599.501, subdivisions (f) and (g), until termination of such incapacity.

Section 599.500, subdivisions (q) through (v), formerly subdivisions (o) through (t):

These subdivisions remain unchanged with the exception of subdivision “numbering.”

- (g) Meanings of terms related to Medicare are as follows:
“Medicare” means the Health Insurance For The Aged provided under Title XVIII of the Social Security Act; “Part A” means Hospital Insurance as defined in Title XVIII of the Social Security Act; and “Part B” means Medical Insurance as defined in Title XVIII of the Social Security Act.
- (p) “Supplemental Plan” means a health benefits plan providing supplemental benefits for persons enrolled under Medicare Parts A and B.
- (s) “Health benefits plan” or “plan” means a health benefits plan contracted for or approved by the Board pursuant to sections 22793, 22850 and 22853, Government Code.
- (t) “Conversion plan” means a nongroup contract offered by the carrier as its standard individual membership plan.
- (u) “Control Period” means a period from January 1 through June 30 or July 1 through December 31.
- (v) “Alternative benefit plan” means a health benefits plan approved, or contracted for, by the Board exclusively for employees or annuitants of contracting agencies pursuant to section 22850(f)(2) of the Government Code.

Section 599.501, subdivisions (a) through (e):

These subdivisions remain unchanged.

Proposed Amendment to Section 599.501, subdivision (f):

- (f) A family member who is a disabled child as defined in section 599.500, subdivision (p), who is age 26 or over ~~child over age 23~~ is to be enrolled at the time of the initial enrollment of the employee or annuitant provided that satisfactory evidence of such disability is filed with the Board within 60 days of the initial enrollment.

Proposed Amendment to Section 599.501, subdivision (g):

- (g) A family member who is a disabled child, as defined in section 599.500, subdivision (p), who attains ~~over age 26~~ 3 is to be continued in enrollment ~~only if he or she is then enrolled at the time he or she attains age 26,~~ provided that ~~no such child shall continue to be enrolled unless~~ satisfactory evidence of such disability is filed with the Board during the

period commencing 60 days before and ending 60 days after the effective date of ~~the initial enrollment or the child's 26thth~~ 26thth birthday, ~~whichever is~~ pertinent.

Section 599.501, subdivisions (h) through (i):

These subdivisions remain unchanged.